

REMARKS

Applicant has studied the Office Action dated August 21, 2007. Claims 33-46 have been canceled without prejudice. Reconsideration and allowance of the pending claims in view of the above amendments and the following remarks are respectfully requested.

In the Office Action, the Examiner:

- Rejected claims 33 and 34-40 under 35 U.S.C. 112, ¶ 2, as being indefinite;
- Objected to claims 22 and 39 for informalities;
- Rejected claim 33-35, 37-40 under 45 U.S.C. § 102(b) as being anticipated by Waltz (US 4,682,793);
- Rejected claim 36 under 45 U.S.C. § 103(a) as being unpatentable over Waltz (US 4,682,793); and
- Indicated claims 1-32 would be allowable if rewritten to overcome the objections.

Allowable Subject Matter

Applicant wishes to thank Examiner Battula for indicating the allowable subject matter of claims 1-32. Claim 22 has been amended to correct informalities. Applicant submits that claims 1-32 are now in a condition of allowance, which allowance is respectfully requested.

Although the Applicant respectfully disagrees with the Examiner's rejection of claims 33-40, the Applicant has cancelled claims 33-46 solely for the purpose of expediting the patent application process in a manner consistent with PTO's Patent Business Goals (PBG), 65 Fed. Reg. 54603 (September 8, 2000). Applicant expressly reserves the right to file a divisional application with respect to these claims at a later date. Because the Applicant has cancelled claims 33-46 to expedite prosecution, the Examiner's

rejections for claims 33 and 34-40 under 35 U.S.C. 112, ¶ 2, as being indefinite; objections to claim 39 for informalities; rejection to claim 33-35, 37-40 under 45 U.S.C. § 102(b) as being anticipated by Waltz (US 4,682,793) and rejection of claim 36 under 45 U.S.C. § 102(b) as being unpatentable over Waltz (US 4,682,793), have been rendered moot.

CONCLUSION

The prior art made of record and not relied upon was reviewed and Applicant believe that such prior art is not pertinent to Applicant's disclosure.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Applicant acknowledges the continuing duty of candor and good faith to disclose information known to be material to the examination of this application. In accordance with 37 CFR §1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicant and his attorneys.

The Commissioner is hereby authorized to change any fees that may be required or credit any overpayment to Deposit Account 50-1556. In view of the preceding discussion, it is submitted that the claims are in condition for allowance.
Reconsideration and re-examination is requested.

PLEASE CALL the undersigned if the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the prosecution of the patent application.

Respectfully submitted.

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